

and contrary to the peace &c.

And Whereupon the said Thomas by Robert

Jenkins Henry his attorney complains that whereas the A^{ts}. Andrew the second day of October. in the year of our Lord one thousand seven hundred and forty at Somerset County A^{ts}. the A^{ts}. of him the said Thomas called Smithfield he did with force and arms break and enter and give hundred Oak Timber Trees and five hundred Pine trees then and there lately growing he did cut down & split into Boards and Fences Nails and the same he did carry away to the value of thirty pounds Curr^t. money of Maryland and the soil of him the said Thomas the same Andrew then and there dig up and plant and other enormities to him then and there did to the grievous damage of ^{him} the said Thomas says he is worse and hath damage to the value of fifty pounds Curr^t. money of &c. and thereof he brings suit &c. Edw. J. P. & R. J. P.

A Copy of the foregoing declaration was made and sent to be served on the A^{ts}. in order for a speedy Tryall. At which day here came the A^{ts}. Thomas Bollet by his attorney A^{ts}. and the sheriffs to wit John Handy Gent^l. now here returned that he had taken the A^{ts}. Andrew Wilson whose body here at this day he had ready to answer the A^{ts}. Thomas Bollet of the A^{ts}. plea as to him it was commanded. and further the same sheriffs returned that he had served the A^{ts}. Andrew Wilson with a copy of the foregoing declaration.

And the A^{ts}. Andrew Wilson by William Arbuckle his attorney comes and defends the force and Injury when &c. and prayeth Leave thereof to Imp^{er}ple here untill next Court to be held at dividing Creek in and for the County A^{ts}. the third day of August then next ^{following} and he hath it and the same day is given to the A^{ts}. Thomas here also &c.

At which day here came againe as well the A^{ts}. Thomas Bollet as the A^{ts}. Andrew Wilson by their attorneys A^{ts}. and hereupon the said Andrew as before defends the force and Injury when &c. and saith that he is in no sort guilty of the trespass in the plaintiffs declaration mentioned in manner and form as the plaintiffs above against him hath declared and of this he puts himself upon the Country. and the A^{ts}. Thomas in like manner.

Therefore it is commanded the sheriffs of Somerset County that he should come to come here before the Justice of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of November then next following twelves &c. by whom &c. and who neither &c. to Recognize &c. because